REMARKS

Applicants have carefully reviewed the Application in light of the Office Action mailed on December 4, 2008. Applicants respectfully request reconsideration of the present application in light of the following remarks.

CLAIM REJECTIONS - 35 U.S.C. § 112

Claim 14 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Accordingly, claim 14 has been amended to recite "*a* number of data flows" instead of "*the* number of data flows" in order to comply with the antecedent basis requirement.

CLAIM REJECTIONS - 35 U.S.C. § 103

Claims 2-6, 8-25, and 31-36 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Reed et al. (US Pub. 2005/0154785; hereinafter "Reed") in view of Lior (US Pub. 2003/0220925; hereinafter "Lior") in further view of Casati et al. (US Pub. 2005/0080661; hereinafter "Casati") in further view of Gerrevink (US Pub. 2007/01050546; hereinafter "Gerrevink") in further view of Karakashian et al. (US Pub. 2007/0150546; hereinafter "Karakashian").

There rejections are respectfully traversed.

With respect to independent claims 6 and 22, Reed, Lior, Casati, Gerrevink, and Karakashian, either individually or in combination, do not disclose at least the following recited limitations: (1) creating at least one matching rule defining an attribute of the web service; and (2) associating the at least one matching rule to the traffic class identifier in the traffic classification mechanism.

The outstanding office action alleges that Gerrevink, in paragraphs [0021] and [0047]-[0049], discloses the above limitations. Applicants respectfully disagree.

Gerrevink discloses an apparatus for testing equipment, where a traffic stream generator 103 both stores packet templates and source/destination address pairs and generates test packets using a stored packet template and a source/destination address pair that correspond to a profile

(see Gerrevink, paragraph [0021]). Figure 1 discloses a test system 100 that includes the traffic stream generator 103, which is responsible for generating multiple data packets according to a traffic model and releasing the generated packets into traffic streams according to a departure schedule (see Gerrevink, paragraphs [0036] and [0037]).

Paragraphs [0047]-[0049] correspond to Figure 3 and describes how each data packet is generated and transmitted. To summarize, a traffic class scheduled for departure is selected and a traffic class identifier is generated for the selected traffic class (step 310). A traffic stream in the selected traffic class is selected (step 320). A source/destination address pair for the selected traffic stream is selected (step 330). A testing data packet is generated based on the selected traffic class, traffic stream, and source/destination address pair (step 350).

First, nowhere in Gerrevink discloses the concept of matching rules that define attributes of the web service as recited in claims 6 and 22. The configuration information, which may include traffic class departure information, traffic class definition, traffic stream definition, source/destination address pair definition (see Gerrevink, paragraph [0046]), is used to *generate* new data packets, not to *identify* or *match* existing data packets.

Second, nowhere in Gerrevink discloses the concept of associating matching rules with traffic class identifiers. With Gerrevink, the traffic class identifier refers to a traffic class for which new data packets are to be generated. In other words, data packets are *generated for* each traffic class, not *matched* to a traffic class based on some matching rule.

Third, since Gerrevink is directed at a *test system* that *generates* network traffic, i.e., the data packets, instead of a system or method that *identifies and classifies* existing network traffic, Gerrevink does not belong to the same field as the present application. There is no motivation or suggestion in Gerrevink to modify any portion of its test system for the purpose of identifying and classifying existing network traffic.

The pending dependent claims directly or indirectly depend from claims 6 and 22 respectively and are therefore respectfully submitted to be patentable over Reed, Lior, Casati, Gerrevink, and Karakashian for at least the reasons set forth above with respect to the independent claims. Further, these dependent claims recite additional limitations that when considered in the context of the claimed invention further patentably distinguish the art of record.

NEW CLAIM

Claim 37 is new. Support for claim 37 may be found, for example, in paragraphs [0039] (application specific attributes), [0045] (traffic classes, data flows, and data flow attributes). [0049] (determine data flow for a packet based on data flow attributes), and [0056]-[0057] (maintain a list of web services).

Claim 37 recites the limitation of data flow attributes used to group data flows and to match a data packet to a data flow. Furthermore, claim 37 recites that the data flow attributes includes at least one application-specific attribute, e.g., attributes "gleaned from layers above the TCP layer" (see present application, paragraph [0039]). Consequently, web services are classified at least in part based on one or more application-specific attributes.

None of the five cited references discloses the usage of application-specific attributes to classify web services. Thus, claim 37 is patentably distinct from the five cited references.
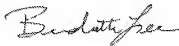
CONCLUSION

In light of the foregoing, Applicants believe that all currently pending claims are presently in condition for allowance. Applicants respectfully request a timely Notice of Allowance be issued in this case.

If a telephone conference would advance prosecution of this Application, the Examiner may call Bernadette Lee, Attorney for Applicants, at 650-739-7506.

The Commissioner is hereby authorized to charge any fee and credit any overpayment to Deposit Account No. 02-0384 of Baker Botts LLP.

Respectfully submitted,
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